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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,575	09/08/2003	Gregory J. Smith	50019.251US01/P05124	9867
23552	7590	03/28/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			NGUYEN, MATTHEW VAN	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/657,575

Applicant(s)

SMITH ET AL.

Examiner

MATTHEW V. NGUYEN

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 is/are allowed.
- 6) ☒ Claim(s) 16-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/8/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. The disclosure should be carefully reviewed and ensure that any and all grammatical, idiomatic, and spelling or other minor errors are corrected.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Forster et al. (U.S. Pat. No. 6,204,693).

With regard to claims 16-19, Forster et al. (i.e., Fig. 1) show an apparatus and a method for regulating a current of a circuit comprising means (4) for generating a regulated signal, means (21) for sensing/monitoring the regulated signal, means (7, 8, 16) for generating a second control signal which utilizes a current source (8) and a resistor (16), means (10, 6) for adjusting a magnitude of the regulated signal based on the second control signal and the regulated signal that includes an amplifier (6).

3. Claims 1-15 are allowable over prior art.
4. The following is an examiner's statement of reasons for allowance of claims 1-15: none of prior art of record taken alone or in combination shows an apparatus for regulating a current comprising a regulation circuit, a first resistor, a second controller, a

Art Unit: 2838


controller along with specific electronic connections among those elements and particular functions thereof and more detailed elements as recited in the claims of the instant application.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Melbert (U.S. Pat. No. 4,731,574), Main (U.S. Pat. No. 4,808,907), Carter et al. (U.S. 5,138,658), Chiu (U.S. Pat. No. 6,496,052) and Biagi (U.S. Pat. No. 6,703,815) also disclose apparatuses for regulating a current in a circuit, each of which comprises a control circuit that controls the activation of a main transistor based on a result of a comparison in an amplifier between a sensed current and a reference signal level.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew V. Nguyen whose telephone number is (571) 272-2081.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2800.


MATTHEW V. NGUYEN
PRIMARY EXAMINER